

Agenda
ANIMAL CARE SERVICES ADVISORY BOARD MEETING
Animal Care Services Facility, 4710 State Highway 151, San Antonio, TX 78227
Wednesday, October 16, 2013 AT 6:30 PM

At any time during the Animal Care Services Advisory Board Meeting, the Board may meet in Executive Session regarding any of the matters posted below in compliance with the Texas Open Meetings Act (Attorney-client, Personnel, Security, Real Estate) under Chapter 551 of the Texas Government Code.

1. Call to Order
2. Approval of Minutes from April 2013, May 2013, June 2013, and August 2013
3. Citizens to be heard
4. Director's report regarding performance measures for Animal Care Services pertaining to field, live release, shelter, media, and clinic operations – *Presented by Kathy Davis*
5. Discussion and vote on the following:
 - a. Staff's recommendation for the use of FY 2014 \$100,000 Animal Care Services Budget Amendment – *Presented by Kathy Davis*
 - b. City Code Chapter 5 amendments regarding the stray hold period – *Presented by Kathy Davis*
 - c. City Code Chapter 5 amendments to require the spaying or neutering of an owned pet following its first impoundment – *Presented by Kathy Davis*
 - d. City Code amendments regarding adopting civil citation processes set out in Chapter 20 of the City Code for animal care and control ordinance violations – *Presented by Kathy Davis*
 - e. The renewal of the Brooks facility lease – *Presented by Kathy Davis*
6. Discussion regarding the acceptance of and strategy for two grants to be implemented in FY 2014: Pets for Life Grant (\$50,000 grant from Humane Society of the United States) and the Feral Cat Spay/Neuter Grant (\$10,000 grant from Best Friends)– *Presented by Kathy Davis*
7. Report regarding the inspection of Animal Care Services Hwy 151 and Brooks facilities – *Presented by Rita Braeutigam and Cynthia Martinez*
8. Set next meeting date
9. Adjournment

DISABILITY ASSISTANCE NOTICE

This meeting site is wheelchair accessible. Parking is available. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting). For Assistance, Call (210) 207-7245 Voice/TTY.

Esta reunión es accesible a personas incapacitadas. Se hará disponible el estacionamiento. Equipo y servicios adicionales (interpretes para los sordos) se harán disponibles si se pide con cuarenta y ocho (48) horas de anticipación a la reunión. Para asistencia llame al (210)207-7245 por voz/servicio de TTY.

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CITY CLERK
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ANIMAL CARE SERVICES ADVISORY BOARD

Meeting Minutes

April 17, 2013

6:30 p.m.

4710 State Highway 151, Annex Training Rooms 1 & 2

San Antonio, TX 78227

ACS Board Members¹: Mona Thaxton-Chair, William White-Vice Chair, Sallie Scott-Secretary, Rita Braeutigam, Randy Murdock, Shannon Espy, Cynthia Martinez, *Michael Dowdell, Roderick Sanchez and Karen Speer

Ex-Officio Members: Kathy Davis, Erik Walsh, and *Vincent Nathan

Staff Liaison: Maria Kieke

I. Call to Order

Mona Thaxton convened the meeting at 6:45 PM with a quorum present.

II. Approval of minutes from February 20, 2013

Karen Speer moved, seconded by Randy Murdock, to approve the February 20, 2013 meeting minutes. Motion passed.

III. Citizens to be Heard

1. John Bachman spoke about concerns with the recommended changes to the Chapter 5 ordinance in relation to the stray hold period. He also expressed concern regarding the RTO data.
2. Deanna Lee suggested that ACS reconsider the elimination of dangerous dog designation and recommended ACS reinstate prior Chapter 5 language.
3. Juan Vasquez expressed concerns regarding personal information being required from citizens at the rabies clinics.
4. Lynnne Bunten passed her allotted time to John Bachman.

IV. Director's Report

The Director, Kathy Davis presented performance measurements and accomplishments for Field, Live Release, Shelter, Media and Clinic Operations including a CNSI Update. Full report handouts were provided to Board members.

V. Report regarding Legislative Agenda for current Bills in Austin pertaining to Animal Care

Kathy Davis presented a report on two bills (HB858 – Gas Chamber Prohibition and HB2471- Blocking Adopter and Rescuer Name and Address) filed in support of humane legislation including other current bills. A handout of the proposed bills was provided to Board members.

VI. Chapter 5 Amendment Update and possible vote regarding the Stray Hold Period

Due to concerns with previous proposed amendment changes to Chapter 5 regarding the stray hold period, an updated language change was presented for Board support. The new changes continue to recommend a reduction in the stray hold period to 72 hours from the time of impoundment; however, ACS is also recommending that the ordinance be changed to prohibit the euthanasia of healthy stray pets until after 3 days, not including the date of impoundment. Rita Braeutigam moved, seconded by Shannon Espy, to approve the solution presented. Motion unanimously passed.

¹ One (1) ACS Board Member position is currently vacant in Council District 6

*Indicates not present at Board Meeting

VII. Alliance for Innovation presentation regarding methodologies and best practices related to the success of ACS

Heber Lefgren briefed the Board about a presentation he made at the Alliance for Innovation's Transforming Local Government Conference in Atlanta, Georgia. Mr. Lefgren reported that ACS was selected and recognized as a transformative organization due to recent changes that were made in regards to establishing community partnerships.

VIII. Report regarding the inspection of ACS 151 and Brooks facilities

Rita Brauetigam and Karen Speer co-presented an inspection report for the ACS facility on 151, with their findings being exceptional. Ms. Brauetigam recommends identifying ways to make available more information on Petharbor regarding a pet in ACS's care. She also recommends the purchase of an X-ray machine. Ms. Speer recommends ACS add some type of shade or shelter for the elderly during the vaccination clinics on Mondays. Sallie Scott presented an inspection report for the Brooks facility and found the facility excellent. She recommends ACS add signage for Brooks at main facility.

No Inspection Reports will be performed for next meeting due to preparations of the ACSB Planning Session in June.

IX. Next meeting

The next ACS Advisory Board Planning Session will take place on June 19, 2013 at 6:30 p.m.

X. Adjournment

The meeting adjourned at 8:18 p.m.



ANIMAL CARE SERVICES ADVISORY BOARD

Meeting Minutes

May 15, 2013

6:30 p.m.

4710 State Highway 151, Annex Training Rooms 1 & 2

San Antonio, TX 78227

ACS Board Members¹: Mona Thaxton-Chair, William White-Vice Chair, Sallie Scott-Secretary, Rita Braeutigam, Randy Murdock, Shannon Espy, Cynthia Martinez, Michael Dowdell, *Roderick Sanchez and Karen Speer

Ex-Officio Members: Kathy Davis, Erik Walsh, and Vincent Nathan

Staff Liaison: Maria Kieke

I. Call to Order

Mona Thaxton convened the meeting at 6:40 PM with a quorum present.

II. Citizens to be Heard

There were no citizens to be heard.

III. To discuss and possible vote regarding the operational plan of the Brackenridge facility to be opened October 2013

Kathy Davis presented to the Board details regarding the current plan to partner with San Antonio Pets Alive! (SAPA!) and Petshotz for the management and operations of the new Paul Jolly Center for Pets Adoptions, Petco Pavillion, and Petco Spay/Neuter Clinic. These facilities are scheduled to be open in October 2013. Karen Speer moved, seconded by Randy Murdock, to approve the recommendations presented. Motion unanimously passed. Full report handouts were provided to Board members.

IV. To discuss and possible vote for the usage of \$2.2M Bond funding designated to increase Kennel Capacity

Kathy Davis presented to the Board details regarding the current plan to utilize the \$2.2 M Bond funds for increased kennel capacity to partner with Animal Defense League of San Antonio (ADL) for the design, construction, and management of additional kennels to be built on ADL's existing facility. Cynthia Martinez moved, seconded by Michael Dowdell, to approve the recommendations presented. Motion unanimously passed. Full report handouts were provided to Board members.

V. Next meeting

The next ACS Advisory Board meeting will take place on June 19, 2013 at 6:30 p.m.

VI. Adjournment

The meeting adjourned at 7:42 p.m.

¹ One (1) ACS Board Member position is currently vacant in Council District 6

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ANIMAL CARE SERVICES ADVISORY BOARD

Annual Work Session Meeting Minutes

June 19, 2013

6:30 p.m.

4710 State Highway 151, Annex Training Rooms 1 & 2

San Antonio, TX 78227

ACS Board Members¹: Mona Thaxton-Chair, William White-Vice Chair, Sallie Scott-Secretary, *Rita Braeutigam, Randy Murdock, Shannon Espy, *Cynthia Martinez, Michael Dowdell, Roderick Sanchez and Karen Speer

Ex-Officio Members: Kathy Davis, Erik Walsh, and Vincent Nathan

Staff Liaison: Maria Kieke

I. Call to Order

Mona Thaxton convened the meeting at 6:48 PM with a quorum present.

II. Citizens to be Heard

There were no citizens to be heard.

III. Director's Report

Kathy Davis presented to the Board ACS's second quarterly progress report of FY2013, department performance measurements and accomplishments for Field, Live Release, Shelter, Media and Clinic Operations to include FY2014 Budget process. Full report handouts were provided to Board members.

IV. Discussion regarding information to be made available to the Board and public through ACS's website

In an effort to provide readily available information to the Board and public, ACS will create a portal on the website with changes in data since 2004. Full report handouts were provided to Board members.

V. Discussion of the content of the new checklist for the ACS facilities' inspections at 151, Brooks and Brackenridge

Board members, Rita Braeutigam and Cynthia Martinez will be developing a new checklist for inspections of the ACS facilities.

VI. Discussion of existing Board Bylaws

The Board Bylaws Sub-Committee performed a review of the bylaws and found inconsistencies and conflicting language which will be brought for voting at a future Board meeting.

VII. Next meeting

The next ACS Advisory Board meeting will take place on August 21, 2013 at 6:30 p.m.

VIII. Adjournment

The meeting adjourned at 8:15 p.m.

¹ One (1) ACS Board Member position is currently vacant in Council District 6

* Indicates not present at Board Meeting



ANIMAL CARE SERVICES ADVISORY BOARD

Meeting Minutes

August 21, 2013

6:30 p.m.

4710 State Highway 151, Annex Training Rooms 1 & 2

San Antonio, TX 78227

ACS Board Members¹: Mona Thaxton-Chair, William White-Vice Chair, Sallie Scott-Secretary, Rita Braeutigam, Randy Murdock, Shannon Espy, Cynthia Martinez, Michael Dowdell, Roderick Sanchez and Karen Speer

Ex-Officio Members: Kathy Davis, Erik Walsh, and Vincent Nathan

Staff Liaison: Ryan Evans represented Maria Kieke

I. Call to Order

Mona Thaxton convened the meeting at 6:38 PM with a quorum present.

II. Approval of minutes from April, 2013, May 2013 and June 2013

Approval of meeting minutes were deferred to next Board meeting set for October 16, 2013. Motion unanimously passed.

III. Citizens to be Heard

1. Kelly Plassala expressed concerns with animals at Brooks.
2. Anna Hodge expressed concerns about Brooks.
3. Rhonda Korczynski passed her time to Kelly Plassala.
4. Holly McCauley passed her time to Kelly Plassala.
5. Gavin Nichols updated the Board regarding their Annual "No-Kill We C.A.N Do it" Workshop set for October 2nd sponsored by the San Antonio Area Foundation's Talk About It! campaign. The event will be held at the Pearl Stable, 303 Pearl Parkway 8:15am – 4:45pm.
6. Jennifer Montez passed her time to Kelly Plassala.
7. Whitney Trevino Chapman passed her time to Kelly Plassala.
8. Jennifer Studley expressed concerns about Brooks.
9. Christine Garza passed her time to Kelly Plassala.
10. Angelia M. Tate expressed concerns about Brooks.
11. John Bachman expressed concerns about Brooks.
12. Deanna Lee passed her time to John Bachman.
13. Kathryn Franco passed her time to Kelly Plassala.
14. Ossana Carrasco passed her time to Kelly Plassala.
15. Jennifer Thomas expressed concerns about Brooks.
16. Patricia Smiglin expressed concerns about Brooks.
17. Melissa Glover expressed concerns about Brooks.
18. Tina Kauppila expressed concerns about Brooks.
19. Travis Grahmann expressed concerns about Brooks.
20. Tina Chasan passed her time to Anna Hodge.

¹ One (1) ACS Board Member position is currently vacant in Council District 6

*Indicates not present at Board Meeting

IV. Election of Board Officers for FY 2014

The Board conducted their Annual Board Member Election and voted as follows: Mona Thaxton was voted to Board Chair, Rita Braeutigam voted to Vice-Chair, and Sallie Scott was voted to Board Secretary.

V. Director's Report

Kathy Davis presented performance measurements and accomplishments for Field, Live Release, Shelter, Media and Clinic Operations including a CNSI update, Brackenridge and ADL Facilities. Full report handouts were provided to Board members.

VI. Update regarding carriage horse legislation and final recommendations made by the Transportation Advisory Board to the City Ordinance

Vincent Medley provided an update to the Board regarding changes made to Chapter 33, Article IV Horse Drawn Carriages. Full report handouts were provided to Board members.

VII. Highlights of FY 2014 Operating Budget for Animal Care Services

Heber Lefgren presented to the Board the ACS FY 2013 Accomplishments, FY 2014 Proposed Budget and potential initiatives. Full report handouts were provided to Board members.

VIII. Discussion and Vote on Chapter 5 Ordinance changes that will allow Animal Care Services to become the designated care taker for all pets impounded at its facility

The Board voted in support of an ordinance amending Chapter 5 of the City Code to designate the Animal Care Services Department as the designated caretaker of impounded animals. This designation would allow veterinary staff to provide protective vaccinations and any needed medical care immediately, and help prevent the spread of disease by maintaining the health of the animals and kennels. Cynthia Martinez moved, seconded by Randy Murdock, to approve the recommendations presented. Motion unanimously passed.

IX. Next meeting

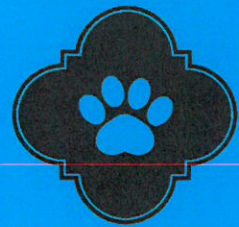
The next ACS Advisory Board meeting will take place on October 16, 2013 at 6:30 p.m.

X. Adjournment

The meeting adjourned at 8:58 p.m.



City of San Antonio Animal Care Services Department Director's Report



October 16, 2013

OFFICE OF THE DIRECTOR

It is my pleasure to christen Fiscal Year 2013, “The Year of Breaking Records.” The department continues to make strides in saving the lives of the City’s stray animal population. Compared to prior years, ACS adopted & rescued more pet than ever before, resulting in a record-breaking Live Release rate of 77% for the fiscal year **and almost 89% for healthy/treatable pets!** This is a remarkable achievement—shattering our previous Live Release rate of 61% in FY 2012 and 38% in FY 2011.

We broke boundaries, thought outside of the box, while still striving to provide excellent customer service. I couldn’t be more proud of our energetic, hardworking and committed staff, volunteers and community partners. Without your dedication, our success this year would not have been feasible. We are already working hard on building on our successes and putting programs and initiatives in place to make FY 2014 stellar.

The following is a high-level recap on each division. We are working on the department’s FY 2013 Annual Report and will post for public viewing and distribution upon its completion within the next month.

FIELD OPERATIONS

In August and September, the Field Operations Division received 16,417 call-for-service requests and impounded 2,791 roaming and loose pets. Animal Care Officers (ACO) issued 428 violations and returned 147 animals to their owners while in the field. For FY 2013, the department received and responded nearly 92,000 call-for-service requests, an increase of 12% (9,993 calls) from our targeted amount. A portion of the increase in calls-for-service requests are due to our field staff taking a more proactive approach and initiating calls rather than waiting for a call to come in.

In addition, our Aggressive/Dangerous Dog Officers designated 42 pets as aggressive or dangerous, a 20% increase over last year. This team does important work, ensuring those owners and their pets in are taking the necessary precautions to keep our neighborhood and other pets safe. Furthermore, our Cruelty Investigation team filed 113 cruelty cases with the District Attorney’s office, a 290% increase over last year! More than ever, our judicial system has been able to convict and bring pet abusers to justice in our community—a primary result of the high quality work our Cruelty Investigators do every day.

Officer Jessica Travis, our Dangerous/Aggressive Dog Investigator, received some praise from the other side of the country that I wanted to share. Officer Travis went to a home to conduct a follow up inspection on a local dog deemed dangerous by the City where upon arrival, found the home vacant and boarded up. Upon recollection of previous case notes, discovered that the owner and the dog may have moved back to Miami, Florida. The owner and the dog were no longer in San Antonio, case closed, right? However, after doing some additional investigation discovered that the owner had a number of active warrants with the City of San Antonio and was considered armed and dangerous.

Officer Travis took it upon herself to alert authorities in Miami and provided them with a copy of his driver's license. They located the dog at the residence on the owner's driver's license, secured an extradition warrant for the owner, but were unable to apprehend the owner or seize the dog. Due to Officer Travis' diligent casework, Miami authorities used her case file to ask for a petition to seize the dangerous dog in Miami. Thank you Officer Travis for her outstanding casework, follow through, and commitment as an Investigator in going above and beyond to ensure the citizens of San Antonio—and Miami—are safe.

CNSI: The Comprehensive Neighborhood Sweeps Initiative (CNSI) has completed a second successful year. The areas selected for this year's CNSI are areas with the highest concentration of stray animals, bite cases, and calls-for-service requests. CNSI and ACS staff and volunteers go door-to-door provide educational materials and information on low-cost vaccination clinics and sterilization services, followed by a period of enforcement. Through 10 target areas, over 27,000 homes have been visited and 2,500 free rabies vaccinations/city licenses administered and issued. The dates and Council Districts for next year's CNSI are being finalized.

SHELTER OPERATIONS

In FY 2013, 29,220 animals have been impounded, a decrease of 1,780 animals (5%) over the FY target of 31,100 animals. The reduction in intake is attributed to the increase in the number of live outcomes as well as pets being pulled by rescue groups later in their stay in comparison to prior years. In August and September, shelter intake was 4,772 pets. Our dedicated shelter staff continues to go above and beyond ensuring that all pets are receiving the proper housing, sustenance, and medical attention while in our care.

A number of shelter enhancements have been completed or are in the process of being completed. New hay feeding troughs able to hang from livestock fencing were installed providing a better quality of feeding protocols for livestock in our care. Two additional Dogipot waste stations were installed and placed in the green space areas near the field, clinic, and administrations buildings. These additional waste stations will aide in the promotion of waste pickup by visitors, volunteers, and staff. This will help decrease any possible spread of disease throughout the campus.

The month-long project to replace the pulley system in every dog kennel in our stray buildings has been completed. This project allows our staff to be able to provide safe and comfortable housing for pets while in our care.

Finally, the retrofit of the kennels at our Brooks campus to meet state quarantine guidelines is complete. New signage is being ordered to meet state quarantine standards and an appointment will be scheduled to complete a thorough inspection of the facility in order to gain state licensure. We expect the full conversion of moving all quarantine animals to the Brooks campus and all adoptable pets to the 151 campus by the beginning of November.

LIVE RELEASE OPERATIONS

The department's Live Release division has done remarkable work in getting out the pets that our field staff brings in, our shelter staff cares for, and our clinic staff treats. The department ends the Fiscal Year with a record-breaking 77% Live Release rate! All of our live release divisions broke records. Our adoption staff sent 7,165 pets to their forever homes, 15% (965) more than their targeted amount. Our rescue staff worked tirelessly to send almost 12,000 pets to our amazing rescue partners; nearly 10% (1,050) more than their targeted amount. 975 cats entered in the TNR program, and over 2,000 pets were placed in our Foster program. These figures all represent records broken! We have never had this many adoptions, rescues, TNRs, or fosters in one year in the history of ACS. Kudos!

Please refer to the table below for a breakdown of live release outcomes.

LIVE RELEASE OUTCOME CATEGORY	FY 2013
Return-to-Owner (RTO)	2,046
Adoption	7,165
<i>San Antonio Pets Alive!</i>	5,532
<i>San Antonio Humane Society</i>	2,407
<i>Animal Defense League</i>	727
<i>Other</i>	3,234
Rescue	11,900
Trap-Neuter-Return (TNR)	975
Total Number of Live Release Outcomes	22,086
Percent Increase Over Targeted Amount (21,700)	+ 1.8%

In September, the annual Re-Tail Rummage Sale was held in conjunction with an onsite adoption event. Through social marketing and word of mouth, over \$900 was earned! These proceeds will benefit the ACS Volunteer Department and the upcoming Volunteer Appreciation event. In addition, on September 14th, ACS celebrated our new joint partnership with Polly's Pets at their grand reopening in Universal City. Polly's Pets has changed their business model to reflect adoption only for puppies and kittens that no longer come from breeders. ACS is now the sole supplier of puppies and kittens to the store. The preceding are more examples of our staff thinking outside the box and developing innovative ideas to further promote the mission of the department.

CLINIC OPERATIONS

The clinic performed 3,367 surgeries in August and September-including a record number of 1,801 surgeries in August. For the year, our talented and hard-working clinic staff performed 17,500 surgeries! This achievement was 25% (3,500) more surgeries than our FY 13 target and 58% more than FY 2012.

We would like to extend a warm welcome to our new Staff Veterinarian, Dr. David McGookey, who will aide our Chief Veterinarian in ensuring all pets in our care are receiving the best medical attention as possible. Dr. McGookey comes to us with over 15 years in veterinary medicine and an interest in behavior and emergency medicine that tie in well with shelter medicine. Dr. McGookey is married with three children and has already adopted an ACS kitty named “Rexi” who is physically challenged in her forelimbs. We are delighted to bring Dr. McGookey on board.

Our Clinic Manager, Joel Jenks, has accepted a new position as the Executive Recruiter for the City of San Antonio. We are incredibly sad to see him go, but proud of his accomplishments during his time here at ACS and are excited for his future. Good Luck Joel! Monica Gil will serve as the Interim Clinic Manager until the vacancy is filled.

MEDIA & OTHER ITEMS

MARKETING CAMPAIGN: The latter part of the fiscal year saw a focus on the widespread impact the intake of roaming animals has on shelter operations and enforcement. Heightened media interest in the department’s use of the Brooks facility was addressed by explaining the need to humanely handle needed kennel capacity. The PIO division also negotiated the inclusion of a well received opinion/editorial piece in the San Antonio Express News in which ACS Director Kathy Davis discussed the connection between roaming pets and bites. Additionally, the department saw another cover article featured in the animal control industry’s leading magazine-NACA News. The article featured a look at media relations and today’s animal control agency.

BRACKENRIDGE: ACS will hold the grand opening of the Brackenridge Facility on Friday, October 25th. At the ceremony, the Mayor, City Manager, Petco Corporation and Foundation executives and ACS staff will transfer the keys of the facility to our operating partners, SAPA! and PetShotz. The Paul Jolly Center for Pet Adoptions, Petco Pavilion, and Spay/Neuter Clinic is scheduled to be open to the public on Saturday, October 26th in connection with Mayor Castro’s Annual HOWL-O-Ween Pet Fest.



City of San Antonio Animal Care Services Department Director's Report



AUGUST – SEPTEMBER 2013 & FY 2013 RECAP

ENHANCED ENFORCEMENT

Performance Indicators	FY 2012 Actual	FY 2013 Target	August Total	September Total	FY 2013 Total
Calls-for-Service Requests	80,771	82,000	8,167	8,250	91,993
Impoundments (Overall)	34,946	31,000	2,462	2,310	29,220
Impoundments (Field)	20,066	18,600	1,420	1,371	16,489
Return-to-Owners (Field)	935	1,000	65	82	1,082
Citations/Warnings Issued	5,190	6,000	266	162	5,070
Licenses Issued	19,129	30,000	3,023	2,016	22,722
Aggressive Dog Designations	14		1	1	8
Dangerous Dog Designations	23		3	2	34
Cruelty Cases	89		4	14	113

IMPROVED CONTROL OF STRAY POPULATION

Performance Indicators	FY 2012 Actual	FY 2013 Target	August Total	September Total	FY 2013 Total
Surgeries Performed by ACS	11,086	14,000	1,801	1,566	17,500
Surgeries Performed by Partners	8,760	9,434	1,268	293*	8,438*
Deceased Animal Pick-Up	34,107		3,021	2,810	35,779

INCREASED LIVE RELEASE

Performance Indicators	FY 2012 Actual	FY 2013 Target	August Total	September Total	FY 2013 Total
Live Release Rate	61%	70%	78%	78%	77%
Adoptions	6,106	6,200	613	522	7,165
Rescues	12,657	10,850	1,050	1,116	11,900
Return-to-Owners (Overall)	1,980	3,100	148	149	2,046
Trap-Neuter>Returns		1,550	44	53	975
Animals Fostered	1,394	1,300	237	158	2,075
Volunteers	436	500			394
Volunteer Hours	15,679	16,000	1,288	899	13,591

ADMINISTRATION/OTHER

Performance Indicators	FY 2012 Actual	FY 2013 Target**	August Total	September Total	FY 2013 Total
FY 2013 Budget	\$9.69 M	\$11.04 M			\$11.04 M
Media Interactions	376	400	31	37	794**

* Information is pending from partners.

**FY 2013 Adopted Budget was \$10.91M; FY 2013 Revised Budget is \$11.04 M.

***326 Media Interactions were as a result of national media coverage connected to the ASPCA Rachael Ray \$100K Challenge win.

CITY OF SAN ANTONIO
ANIMAL CARE SERVICES
INTERDEPARTMENTAL CORRESPONDENCE

TO: ACS Advisory Board
FROM: Kathy Davis, Director, Animal Care Services
COPIES TO: Erik Walsh, Deputy City Manager
SUBJECT: FY 2014 Animal Care Initiatives
DATE: October 11, 2013



SUMMARY

Staff will provide a briefing on the following initiatives to be implemented in FY 2014:

- A) Staff recommendation regarding the FY 2014 \$100,000 ACS Budget Amendment
- B) Propose Amendment to Chapter 5 of the City Code by reducing the required holding period for those pets that have a live outcome;
- C) Propose Amendment to Chapter 5 of the City Code by requiring the spay/neuter of an owned pet following its first impoundment;
- D) Propose Amendment to Chapter 20 of the City Code to authorize the issuance of civil citations in addition to criminal citations for Animal care violation.
- E) Renew the Brooks Facility Lease with Brooks Development Authority for a period of 1 year

BACKGROUND

In FY 2012, ACS began implementing its newly revised strategic plan by incorporating the three (3) strategic priorities of: enhanced enforcement, controlling the stray animal population, and increasing the Live Release rate. As evident in the drastic increase in the Live Release rate from 30% in FY 2011 to 77% in FY 2013, or in the increase in number of spay/neuter surgeries performed by ACS from 11,000 in FY 2012 to 17,500 in FY 2013, ACS continues to improve the services it provides to the community.

It is the anticipation of ACS to continue its success in FY 2014 through the implementation of innovative solutions. In particular, ACS anticipates focusing its efforts and resources in FY 2014 by: (1) enhancing field enforcement; (2) increasing community spay/neuter services; (3) maximizing kennel capacity, and (4) maintaining its successful Live Release program. The following provides background for the FY 2014 initiatives that ACS is requesting recommendations from the Quality of Life Committee. These initiatives were presented to the City's Quality of Life Committee on the 15th of October.

- A) As part of the FY 2014 Adopted budget, City Council authorized a budget amendment by increasing ACS' budget by \$100,000. ACS is proposing to use these funds for the following purposes:
 - ENHANCED ENFORCEMENT: \$35,000 to be used towards the use of over-time for ACOs. By utilizing these funds towards overtime, ACS could spend an additional 1,020 hours in the

field performing specialized sweeps in areas of high stray/loose dogs. ACS could bring in an additional 450 stray/loose pets while issuing additional citations to non-compliant pet owners.

- **ENHANCED ENFORCEMENT:** \$50,000 towards the Department's High Volume Pet Partner (HVPP) program to be used to help rescue an additional 4,578 pets annually in comparison with FY 2013. The HVPP program was implemented in FY 2012 and currently funds the rescue of 7,000 additional pets annually. By allocating an additional \$50,000, ACS anticipates freeing up additional kennel space to allow for the impoundment of an additional 760 pets.
- **CONTROLLING STRAY POPULATION:** \$15,000 to be used towards the Department's Community Spay/Neuter Initiative by providing up to 283 additional community surgeries. The Community Spay/Neuter Initiative currently provides funding for over 9,400 free spay/neuter surgeries. By adding \$15,000 to this program, ACS would be able to prevent the birth of over 990 additional stray pets annually.

- B) **ENHANCED ENFORCEMENT:** Chapter 5 of the City Code requires ACS to hold all healthy pets for a period of three (3) days, not including the day of impoundment, before the pet can be adopted, rescued, fostered, or humanely euthanized. On average, ACS is currently holding pets for a period of 6 days.

While the stray hold period allows time for the pet to be reunited with its owner or to find an individual to adopt/rescue, ACS frequently is required to hold the pet for additional time. For instance, as required by law, spay/neuter surgeries cannot be performed until after the end of the stray hold period. Therefore, even if a live outcome (adoption or rescue) for a pet is identified on the first day of impoundment, ACS cannot start the adoption/rescue process (which can take a full day to complete) until after the third full day of impoundment.

By reducing the hold period from three (3) full days to (2) full days, ACS would be able to outcome pets with a live release quicker thereby freeing up additional kennel capacity. ACS would not reduce the hold time for any pet that does not have a live outcome. ACS anticipates that with this change, the City will be able to maximize its kennel capacity by bringing in up to an additional 770 stray/roaming pets annually.

- C) **CONTROLLING THE STRAY POPULATION:** Of the nearly 30,000 pets impounded annually at ACS, approximately 40% are under the age of 5 months. It has also been recognized by ACS staff that a large number of these pets are likely to be owned, but roaming pets. Chapter 5 of the City Code currently requires all pets that are returned to their owner following their second impoundment to be spayed/neutered; the owner of any roaming pet that was impounded for the first time by an officer, and then returned, is currently not required to spay/neuter their pet.

By changing Chapter 5 of the City Code to require pets to be spayed/neutered following the first impoundment ACS will be able to help ensure that the chronically roaming pets are not breeding and adding more litters to the neighborhoods. The requirement to spay/neuter a pet following its first impoundment would not be applied to a pet that qualifies for a certified medical exception, an exhibition or competition animal, or a police or military service dog. Based upon the number of pets returned in FY 2013, this change could result in the spay/neuter of an additional 1,000 pets annually

- D) **ENHANCED ENFORCEMENT:** In September 2013, an amendment to the State Law permitted local agencies such as ACS the ability to issue civil citations in addition to criminal citations. Civil Citations, which have already been adopted by Code Compliance, are adjudicated through a Hearing Officer and provide an opportunity to focus on long term compliance, rather than just the isolated infraction.

By adopting a Civil Citation process ACS will be able to promote, protect, and improve the health safety and welfare of the citizens by providing the authority to impose administrative penalties in

order to provide an equitable, expeditious, effective, and inexpensive method to animal care enforcement activities. ACS will also be able to reduce the amount of time Animal Care Officers (ACOs) spend in Court as an ACS Supervisor will present the case to the Hearing Officer. Currently, the City's ACOs spend approximately 22 hours a week (or approximately 1,100 hours annually) in court. By converting to a Civil Citation Process, ACS could redirect these resources to: picking up pets, answering calls, issuing citations, and/or other field enforcement activities. ACS anticipates being able to increase the number of citations issued as well as increase the number of pets impounded by 400 pets.

- E) **ENHANCED ENFORCEMENT:** In FY 2010, ACS partnered with the Brooks Development Authority (BDA) to address the high stray/roaming pet population. As part of that partnership, BDA leased an existing kennel space to ACS for 2 years at no cost to the city. This facility currently acts as an overflow kennel for ACS; giving the shelter the ability to increase the number of pets it is responsible for picking up by approximately 3,000. In January 2012, ACS and BDA renewed the lease at Brooks for an additional 2 years. This lease will expire in January 2014.

For the past year, ACS has been working on a plan to convert the Brooks Shelter to a state approved quarantine facility where ACS will house pets who must be held for rabies observation or who are associated with a cruelty investigation. These pets are not available for adoption or rescue, thus ensuring that all adoptable pets are housed only at facilities accessible to the public. This transition is expected to be in place by the end of October 2013.

ACS is requesting that the City enter into a new one-year lease, with the option to renew for 1 additional year, with BDA for the continued use of this facility. Staff is working with BDA to draft a lease to be considered by the BDA Board in November/December. The lease will be brought to City Council for consideration after the BDA Board approves. If the lease is not renewed, ACS would anticipate a reduction in its capacity by approximately 3,000 impoundments.

ISSUE

- A) The \$100,000 ACS FY 2014 Budget Amendment would be used to: help rescue an additional 4,578 pets in comparison to FY 2013 and increase ACS' ability to impound an additional 763 pets through the Department's HVPP program; increase the number of community pets being spayed/neutered by 283 pets through the Department's Community Spay/Neuter Initiative; and increase field enforcement activities by funding additional community sweeps resulting in the impoundment of 450 additional pets while issuing additional citations to non-compliant pet owners.
- B) This amendment to the Chapter 5 Code will allow ACS to take ownership of all strays after the second day of impoundment, not including the day of impoundment resulting in a reduction of one day. The Code will also be change to prohibit ACS from euthanizing any healthy stray pets until after the third day not including the day of impoundment. By reducing the hold period one day, ACS would be able to maximize its kennel capacity by bringing in up to an additional 770 stray/roaming pets annually.
- C) This amendment to the Chapter 5 Code will require any pets returned to their owner following the 1st impoundment to be spayed/neutered. By making this change, ACS will have an additional tool to require responsible pet ownership and help ensure that the chronically roaming pets are no longer breeding and adding more stray litters to the neighborhood. Based upon the number of pets returned in FY 2013, this change could result in the spay/neuter of an additional 1,000 pets annually.
- D) This amendment to the Chapter 20 Code will allow the adoption of a Civil Citation process for ACS. By adopting the Civil Citation process, ACS could reduce the amount of time Officers spend in Court (approximately 1,100 hours annually) and redirect these resources to field enforcement activities. With the redirection of these resources, ACS anticipates being able to

increase the number of citations issued as well as increase the number of pets impounded by 400 pets.

This proposed amendment would also result in the creation of an Animal Care Services Department compliance assistance account where \$20 for each penalty assessed will be deposited. These funds will be utilized for the purpose of abating animal care and control violations and managed by ACS. It is anticipated that this fund would create approximately \$60,000 in additional revenue in FY 2014.

- E) The proposed one year lease, with an option to renew for 1 additional year, will allow the City to continue to use these facilities for ACS shelter purposes. By entering into this lease, ACS will be able to maintain current impound capacity while ensuring that all adoptable pets are available to the public. If the lease is not renewed, ACS would anticipate a reduction in its capacity by approximately 3,000 impoundments.

FISCAL IMPACT

- A) The funds associated with this initiative are included in the FY 2014 ACS General Fund Budget
- B) ACS anticipates no fiscal impact associated with this change to Chapter 5 Code of the City Code.
- C) ACS anticipates no fiscal impact associated with this change to Chapter 5 Code of the City Code.
- D) The proposed amendments to Chapter 20 would result in the creation of an indigent fund to be used for animal care related services. It is anticipated that this fund would create approximately \$60,000 in additional revenue. These funds will be utilized for the purpose of abating animal care and control violations.
- E) The city will continue to lease these facilities on a gratis basis. Therefore, there is no fiscal impact associated with the requested action.

SUMMARY

In total, these proposed strategies would result in approximately 2,383 more stray animals picked up for an approximate total of 33,500. In addition, community spay/neuter surgeries would increase by over 1,283 for an approximate total of over 10,700.

RECOMMENDATION

Staff recommends that the Advisory Board concur that these items go before the full City Council for approval.

Proposed Chapter 5 Ordinance Change

Reduce required holding period for “Placement Assured” Pets

Sec. 5-158. Minimum time animals impounded; euthanasia authorized.

(a) Impounded animals ~~dogs and cats~~ shall be kept for not fewer than three (3) days, excluding the day the animal is impounded and any days the animal care services facility is not opened, and thereafter shall be subject to adoption, rescue, foster or humane euthanasia ~~humanely euthanized~~ at the discretion of the director ~~thereafter~~. Notwithstanding the above, animals may be adopted, rescued or fostered after being held for not fewer than two (2) days excluding the day the animal is impounded and any days the animal care services facility is not opened.

(b) Animals may be adopted, rescued, fostered, or humanely euthanized prior to the time periods referenced above in the following circumstances:

(1) ~~In the case of owned animals, the city may dispose of any unclaimed animal before this three-day period if~~ The the owner of the animal releases ownership of the animal to the city.

(2) ~~If any impounded animal is determined by a licensed veterinarian or designee~~ determines an impounded animal is to be suffering from disease or injury such that the animal is in pain or is beyond reasonable medical help, the animal may be euthanized immediately. ~~In such a case, holding times otherwise specified in this Code will not apply.~~

(3) Due to their immature immune system, any abandoned animal under four (4) months of age shall ~~immediately~~ become the property of the city upon delivery to the animal care services facility, for humane disposition, ~~and may be offered for adoption or humanely euthanized~~ at the discretion of the director.

Sec. 5-159. Unclaimed animals.

(a) Any animal not claimed by its owner after being held for not fewer than two (2) days excluding the day the animal is impounded and any days the animal care services facility is not opened ~~within the above stated three (3) days~~ shall become the property of the city, ~~and shall be subject to adoption, rescue, foster or humanely euthanized at the discretion of the director.~~ The selection of an animal for adoption or rescue during the reclamation period or thereafter shall not confer any ownership right or right of possession to the animal.

(b) The director may sell unclaimed livestock found running free of restraint by public auction to the highest bidder for cash after notice of the auction is posted on a public bulletin board where other public notices are posted for the city.

Proposed Chapter 5 Ordinance Change

Requiring Spay/Neuter upon First Impoundment

Sec. 5-156. – Return of captured animal to owner.

(a) In addition to the issuance of a citation, the animal care officer may return an animal found at large to the known owner in lieu of impounding the animal.

(b) The owner may redeem an impounded animal during normal business hours by paying the impoundment fee, sterilization fees if any, boarding fees, and the pre-release rabies vaccination fee if required by law for the subject species and proof of valid current vaccination cannot be produced.

(c) ~~Upon~~ ~~On the first impound,~~ of an intact dog or cat found at large, the department shall conditionally release the dog or cat with the requirement that ~~require the owner to enter into an agreement to sterilize the dog or cat within thirty (30) days from the date of the conditional release, before releasing it back to its owner, unless the owner possesses or obtains a valid intact dog license for the dog.~~ The following shall be exempt from this requirement: a dog or cat that qualifies for a certified medical exception from a city veterinarian, a dog or cat that is an exhibition or competition animal, or a dog that is a police or military service dog. Owners of exhibition or competition animals and police or military service dogs shall provide proof to the director or his designee. If an owner enters into a sterilization agreement, the The owner shall provide proof of sterilization of the dog or cat to the department within thirty (30) days from the date of the conditional release. ~~agreement.~~

(d) It shall be unlawful for anyone to whom an animal has been conditionally released under this section to fail to have the animal sterilized and provide proof of sterilization to the department within thirty (30) days from the date of the conditional release.

~~(d) — On the second impound of a dog found at large, the intact dog license shall be revoked if applicable, and the owner shall agree to sterilize the dog, unless the dog qualifies for a certified medical exception from a city veterinarian, the dog is an exhibition or competition dog, or the dog is a police or military service dog. Owners of exhibition or competition dogs and police or military service dogs shall provide proof to the director or his designee. Under the sterilization agreement, the owner shall provide proof of sterilization of the dog to the department within thirty (30) days from the date of the agreement.~~

~~(e) — On the second impound of an intact cat found at large, the department shall sterilize the cat prior to releasing it back to its owner at the owner's expense, or require the owner of an intact cat to enter into an agreement to sterilize the cat before releasing it back to its owner, unless the cat qualifies for a certified medical exception from a city veterinarian, or the cat is an exhibition or competition cat. Owners of exhibition or competition cats shall provide proof to the director or his designee. If an owner enters into a sterilization agreement, the owner shall provide proof of sterilization of the cat to the department within thirty (30) days from the date of the agreement.~~

Proposed Chapter 20 Ordinance Change

Implementation of Civil Citations for ACS

Sec. 20-100. - Purpose.

It is the intent of this article to promote, protect and improve the health, safety and welfare of the citizens of the city, by providing for administrative hearing officers with the authority to impose administrative penalties in order to provide an equitable, expeditious, effective and inexpensive method to enforce ordinances described by V.T.C.A., Local Government Code § 54.032, Ordinances Subject to Quasi-Judicial Enforcement, and to provide continued authority to adjudicate parking violations under section 19-225 of the City Code.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-101. - Authority and supplementary provisions.

The City of San Antonio (the "city"), as a home-rule city, adopts in this article a procedure for administrative adjudication hearings pursuant to V.T.C.A., Local Government Code § 54.044 and the powers of self-rule granted by the voters under the City Charter as authorized by the Constitution of the State.

Nothing in this article shall preclude the city's pursuit of any and all other remedies allowed under the civil and criminal statutes and, in equity, to address conditions which are treated in this article. ~~under the theory of public nuisance and abatement of dangerous structures or buildings.~~ Neither shall the city be required to issue, nor be prohibited from issuing, criminal citations before, during, or after any proceeding prescribed in this article.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-102. - Jurisdiction.

(a) The jurisdiction of the administrative hearing officers shall be limited to city ordinances:

(1) For the preservation of public safety, relating to the materials or methods used to construct a building or improvement, including the

foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances or exits;

(2) Relating to the fire safety of a building or improvement, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;

(3) Relating to dangerously damaged or deteriorated buildings or improvements;

(4) Relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents; or

(5) Relating to a building code or to the condition, use or appearance of property in the city.

(6) Relating to animal care and control.

(b) Pursuant to the home rule powers of the city, the jurisdiction of the administrative hearing officers shall include the administrative adjudication of parking violations under section 19-225 of the City Code.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-103. - Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

City means the City of San Antonio, Texas.

Person means any natural person, corporation, partnership, joint venture, association (including homeowners or neighborhood associations), trust or any other entity recognized by law.

Violator means the person charged with violating a city ordinance described in section 20-102 of this article.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-104. - Establishment of an administrative hearing officer; duties.

(a) An administrative hearing officer shall be hired by the city manager and shall serve under the direction of the presiding judge of the municipal court to preside over the administrative adjudication hearings established under this article. The city manager may also provide for associate administrative hearing officers to preside over the administrative adjudication hearings established under this article and shall have the same powers, duties and functions, and must meet the same qualifications, as the administrative hearing officer.

(b) The administrative hearing officer shall:

- (1) Be a licensed attorney in good standing with the State Bar of Texas;
- (2) Be authorized to administer oaths and issue orders compelling the attendance of witnesses and production of documents;
- (3) Act pursuant to the authority granted by V.T.C.A., Local Government Code § 54.044, this article and in section 19-225 of the City Code; and
- (4) Enforce and adjudicate parking violations pursuant to the provisions, duties and procedures in section 19-225 of the City Code.
- (5) Be responsible for additional administrative adjudicative duties as assigned by passage of ordinance.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-105. - Notice and hearing.

(a) A violator is entitled to notice by citation or summons.

(b) A citation or summons issued pursuant to the procedures adopted under this article must:

- (1) Notify the violator that the person has the right to a hearing;
- (2) Provide information as to the time and place of the hearing;
- (3) State the type, date and location of violation;
- (4) State the penalty range for which the violator may be liable; and
- (5) Provide instructions and the due date for paying penalties, costs and fees, as prescribed by the municipal court clerk in

conformance with section 20-106, in lieu of a hearing and payment of which shall be an admission of liability for the violation charged.

- (c) The original or a copy of the summons or citation shall be kept by the municipal court clerk as a record in the ordinary course of business of the city and is rebuttable proof of the facts it states.
- (d) The person who issued the citation or summons is not required to attend a hearing under this article.
- (e) A violator who fails to appear at a hearing authorized under this article is considered to admit liability for the violation charged. The administrative hearing officer shall issue an order of liability and assess appropriate penalties, costs and fees against the violator in conformance with section 20-106 of this article.
- (f) At a hearing under this article, the administrative hearing officer shall issue an order stating whether the violator is liable for the violation. Upon a finding of liability, the administrative hearing officer shall issue an order:
 - (1) Assessing the penalty, costs and fees; and
 - (2) Requiring abatement of the violation by a specific date.
- (g) Upon a finding of liability, the administrative hearing officer may set the date and time for a compliance hearing. A copy of the order shall be provided to the violator as notice of the compliance hearing.
- (h) If, at a compliance hearing, the administrative hearing officer finds that the violator has remedied or abated the violation, the administrative hearing officer may reduce the applicable penalty, fees and costs.
 - (i) If, at a hearing under this article, the administrative hearing officer finds the violator is not liable for the violation, the violator shall not be responsible for any penalty, cost or fee.
- (j) An order issued pursuant to this article may be filed with the municipal court clerk, who shall keep the order in a separate index and file. The order may be recorded using microfilm, microfiche, or data processing techniques.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-106. - Establishing penalty.

- (a) The establishment of a penalty shall be consistent with and pursuant to the provisions of V.T.C.A., Local Government Code § 54.044, and as amended.
- (b) The penalty range to be assessed against a violator found liable under this article shall be:
 - (1) Not less than twenty dollars (\$20.00), nor more than one thousand dollars (\$1,000.00) a day for a first violation;
 - (2) Not less than two hundred fifty dollars (\$250.00), nor more than one thousand dollars (\$1,000.00) a day for a second violation; and
 - (3) Not less than five hundred dollars (\$500.00), nor more than one thousand dollars (\$1,000.00) a day for a third or subsequent violation.
- (c) In addition to the penalty assessed, the administrative hearing officer may require the violator to pay fees and costs.
- (d) In determining the amount of penalty to be assessed, the administrative hearing officer shall consider the following factors:
 - (1) The gravity of the violation;
 - (2) Any actions taken by the violator to correct the violation;
 - (3) Any previous violations committed by the violator;
 - (4) The actual costs of repairs to the city due to the violation as supported by receipts or testimony or other evidence;
 - (5) Indigence of the violator; and
 - (6) Any other relevant evidence.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-107. - Enforcement of order.

An order issued against a person found liable for a city ordinance violation under this article may be enforced by:

- (1) Filing a civil suit for the collection of a penalty assessed against the person;
- (2) Obtaining an injunction that:
 - a. Prohibits specific conduct that violates the ordinance; or

- b. Requires specific conduct necessary for compliance with the ordinance; and
- (3) Referral to a collection agency for non-payment of assessed penalties, costs and fees, with the cost to the city for collection services assessed as costs and added to the judgment.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-108. - Appeal.

- (a) A person who is found by an administrative hearing officer to have violated an ordinance under this article may appeal the determination by filing a petition in the municipal court before the 31st day after the date the administrative hearing officer's order is filed. An appeal does not stay enforcement and collection of the judgment unless the person, before filing the appeal petition, posts a bond with the municipal court for twice the amount of the penalties, costs and fees ordered by the administrative hearing officer.
- (b) If a person found liable for a violation does not timely appeal the administrative hearing officer's order, the order shall become a final judgment.
- (c) The municipal court's review shall be limited to a hearing under the substantial evidence rule.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-109. - Disposition of administrative penalties, costs and fees.

- (a) Except as provided in subsections (b) and (c), penalties, costs and fees assessed under this article shall be paid into the city's general fund for the use and benefit of the city.
- (b) Twenty dollars (\$20.00) of each penalty assessed and paid for Development Services Department violations set out in section 20-102(a)(1)-(5) under this article shall be deposited into the Development Services Department compliance assistance account established in section 20-110 of this article.
- (c) Twenty dollars (\$20.00) of each penalty assessed and paid for Animal Care Services Department violations set out in section 20-102(a)(6) shall be deposited into the Animal Care Services Department

compliance assistance account established in section 20-110 of this article.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 20-110. - Compliance assistance accounts.

(a) The Compliance assistance accounts are composed of:

- (1) Penalties collected under subsection 20-109(b) and (c) of this article; _____ and
- (2) Any funds donated by a person, as accepted by city council ordinance.

(b) The Development Services Department compliance assistance account shall be used for the sole purpose of rehabilitating, repairing or abating nuisances of properties — and premises in the city for persons who:

- (1) Have been found liable for an administrative violation under this article;
- (2) Are found by the administrative hearing officer to be indigent and financially unable to comply with an administrative order under section 20-105;
- (3) File a request for funds with the development services _____ department for the _____ purpose of rehabilitating and/or repairing the _____ person's property _____ or premises until it complies with the _____ administrative order;
- (4) Have not have received funds from the compliance assistance account within the preceding sixty (60) months;
- (5) Do not qualify for other home repair or rehabilitation assistance programs available through the city; and
- (6) Own and occupy the property.

(c) The Animal Care Services Department compliance assistance account shall be used for the purpose of abating animal care and control violations set out in Chapter 5 of this Code for persons who:

- (1) Have been found liable for an administrative violation under this article;

(2) Are found by the administrative hearing officer to be indigent and financially unable to comply with an administrative order under section 20-105;

(3) File a request for funds with the Animal Care Services Department for the purpose of abating animal care and control violations set out in Chapter 5 of this Code until there is compliance with the Administrative order;

(4) Have not have received funds from the compliance assistance account within the preceding sixty (60) months;

(5) Do not qualify for other animal care and control assistance programs available through the city; and

(6) Own the animal at issue.

(~~de~~) The director of the development services department and the director of the Animal Care Services Department shall adopt ~~——~~ policies and procedures consistent with this article for the ~~—~~ administration of each the account's funds.

(Ord. No. 2012-10-04-0780, § 2, 10-4-12)

Sec. 5-21. Unlawful acts; criminal penalties; civil remedies.


(a) Unless otherwise specifically provided for in this chapter, if it is found that a person intentionally, knowingly or recklessly violated any provision of this chapter, then upon conviction a person shall be fined an amount not less than one hundred dollars (\$100.00) and not more than two thousand dollars (\$2,000.00) except that, in the event a person has once previously been convicted under this chapter, the person shall be fined an amount not less than two hundred dollars (\$200.00) and shall be fined not less than three hundred dollars (\$300.00) for a third conviction and for each conviction thereafter.

(b) If it is found that a person intentionally, knowingly or recklessly violated sections 5-4, 5-5, 5-7, 5-8 and 5-80 then upon conviction a person shall be punished by a minimum fine of five hundred dollars (\$500.00) and a maximum fine of two thousand dollars (\$2,000.00) for a first offense, a minimum fine of one thousand dollars (\$1,000.00) and a maximum fine of two thousand dollars (\$2,000.00) for a second offense, and a fine of two thousand dollars (\$2,000.00) for a third and subsequent offense.

(c) Nothing in this section shall limit any and all other criminal, civil or administrative ~~the~~ remedies available to the city in seeking to enforce the provisions of this chapter. Each day's violation thereof shall constitute a separate offense.

(d) Where it is deemed necessary by the city manager and the director, the city attorney's office is hereby empowered to secure injunctive relief to enforce the provisions of this chapter. This shall be in addition to, and not in lieu of, the criminal penalties provided for in this chapter.

CITY OF SAN ANTONIO
ANIMAL CARE SERVICES
INTERDEPARTMENTAL CORRESPONDENCE

TO: ACS Advisory Board
FROM: Kathy Davis, Director, Animal Care Services 
COPIES TO: Erik Walsh, Deputy City Manager
SUBJECT: Acceptance of and strategy for two ACS Grants
DATE: October 11, 2013

SUMMARY

Staff will provide a briefing regarding the acceptance of and strategy for 2 grants to be implemented in FY 2014:

- A) Pets for Life grant of \$50,000 from the Humane Society of the United States for a period of one year from the date of acceptance
- B) Feral Cats Spay/Neuter Grant of \$10,000 from Best Friends for a period of one year from the date of acceptance

BACKGROUND

It is the anticipation of ACS to continue its success in FY 2014 through the implementation of innovative solutions. In particular, ACS anticipates focusing its efforts and resources in FY 2014 by: (1) enhancing field enforcement; (2) increasing community spay/neuter services; (3) maximizing kennel capacity, and (4) maintaining its successful Live Release program.

Over the course of the last few months, ACS has actively searched for grants and community programs that coincide with the mission of ACS. Recently ACS has received notification of the distribution of 2 grants for ACS. The following provides background for the grants and the strategy for their usage:

- A) In July 2013, ACS was contacted by the Humane Society of the United States (HSUS) to invite ACS to apply for its Pets for Life initiative. In September 2013, HSUS informed ACS that the City was selected for this program, which includes \$50,000 in funding.

The Pets for Life initiative, funded by PetSmart Charities, is a community outreach initiative designed to extend animal welfare resources and information to pet owners who either have not received such services, or received services without any long-lasting impact. The initiative is centered in communities that have the least access to services and information and is a two-pronged program: (1) provide direct services to pet owners in under-served communities; (2) train/mentor other organizations to do the same.

If accepted, ACS would utilize this program in the 78202 zip code (located in District 5) by allocating \$30,000 for additional 566 free spay/neuter services. The remaining funds would be allocated towards meeting the targeted community needs throughout the city such as: Community education and training, vaccination clinics, flea treatment, or product and services associated with pet retention.

- B) In FY 2013, ACS applied for a \$10,000 grant with Best Friends for spay/neuter services of feral cats in a designated targeted area. In September 2013, Best Friends informed ACS that the City was selected for the grant and identified the targeted area as the 78212 zip code (Brackenridge Park location).

ACS is requesting that the City accept these funds and partner with PetShotz, a local spay/neuter surgeon, to provide these services. PetShotz was identified due to its close proximity to Brackenridge Park. Under this arrangement, any feral cat from the 78212 zip code could be brought into PetShotz, to receive a free spay/neuter surgery.

If accepted, this grant would allow the City to help control the stray cat population by spaying/neutering nearly 200 feral cats. It is estimated that these surgeries could prevent the birth of over 660 additional stray cats annually. These surgeries will be in addition to the \$500,000 already allocated in the department's budget for community spay/neuter services.

ISSUE

- A) The Pets for Life initiative grant of \$50,000 would allow ACS to pay for an additional 566 free community spay/neuter surgeries in the 78202 zip code (located in District 5) during FY 2013. ACS would also utilize the funds towards meeting the targeted community needs through services such as: Community education and training, vaccination clinics, flea treatment, or product and services associated with pet retention. By providing 566 free community spay/neuter surgeries, the City could avoid over 1,981 stray pet births annually.
- B) The Best Friends' Feral Cat Spay/Neuter grant of \$10,000 would allow ACS to pay for the spay/neutering of 200 feral cats located in the 78212 zip code (Brackenridge Park location). ACS would also enter into a contractual relationship with PetShotz to provide these services.

FISCAL IMPACT

- A) The acceptance of this grant in the amount of \$50,000 for a period of one year from the date of acceptance does not require a City cash match contribution, nor does it authorize an increase in personnel count.
- B) The acceptance of this grant in the amount of \$10,000 for a period of one year from the date of acceptance does not require a City cash match contribution, nor does it authorize an increase in personnel count.

SUMMARY

In total, these proposed strategies would result in approximately 766 more community spay/neuter surgeries for an approximate total of over 11,466 (includes those additional surgeries indicated in the FY 2014 Strategic Initiative proposal). Conservatively speaking, these grants will help avoid over 40,000 stray pet births annually.